

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ATTENTIVE MOBILE INC.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 22-1163 (CJB)
)	
317 LABS, INC. d/b/a EMOTIVE,)	
)	
Defendant.)	

[PROPOSED] ORDER

The Court, having considered Plaintiff Attentive Mobile Inc.’s motion to compel production of Electronically Stored Information (“ESI”) from Defendant 317 Labs, Inc. d/b/a Emotive (“Emotive”), and the parties’ respective briefing and arguments related thereto, finds that the motion should be GRANTED;

IT IS HEREBY ORDERED THAT:

1. Emotive shall identify 10 custodians likely to have possession of relevant ESI and each custodian’s title, role in the dispute, and the subject matter of relevant information the custodian possesses with 7 days of this Order;
2. To the extent Emotive elects to use search terms to locate potentially relevant ESI, the parties shall comply with Paragraph 5(b) of the Default Standard for Discovery and Emotive shall disclose its search terms to Attentive no later than 7 days from the date of this Order. Attentive will disclose up to 10 additional search terms pursuant within 7 days from the date of Emotive’s disclosure.
3. To the extent Emotive elects to use search terms to locate potentially responsive ESI, Emotive shall comply with paragraph 5(b) of the default standard for discovery and Emotive will

run the search terms across Emotive's non-custodial data sources and the 10 custodians identified.

4. Emotive shall produce responsive ESI within 45 days of this Order.

IT IS SO ORDERED this _____ day of _____, 2024.

United States Magistrate Judge